

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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ROY CHEN,

Plaintiff,

-against-

**STIPULATION**

F&T GROUP and TDC DEVELOPMENT &  
CONSTRUCTION CORP. and F&T NANJING  
WTC (CAYMAN) CORP. and F&T (NANJING)  
WORLD TRADE CENTER CORP. and GCPF  
HEXI HOLDING CORP.,

Defendants.

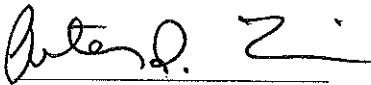
Case No. 09-2944  
Judge Raymond Dearie  
Magistrate Judge Cheryl Pollak

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Pursuant to the rulings of the Honorable Raymond Dearie, District Judge, at a court conference on November 18, 2009:

**IT IS STIPULATED:**

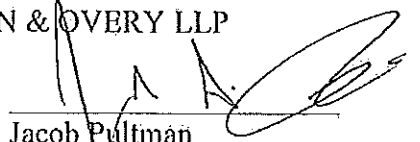
- a) that none of defendants' defenses relating to personal jurisdiction or service of process (the "jurisdictional defenses") will be waived by defendants' respective intended motions pursuant to Rule 12(b)(6) for judgment on the pleadings, and
- b) that defendants may duly assert the jurisdictional defenses by motion within 30 days subsequent to the decision by the Court (the "Court's decision") on defendants' intended motions for judgment on the pleadings, and
- c) with the Magistrate Judge to confer with the parties subsequent to the Court's decision to determine a schedule for discovery relevant to the jurisdictional defenses, assuming the Court's decision is adverse to defendants or any of them, and
- d) defendants agree that plaintiff is entitled to the benefit of a pre motion conference pursuant to Judge Dearie's rules prior to their moving pursuant to subparagraph b) above.



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*WTC (Cayman) Corp. and F&T*  
*Group*

ALLEN & OVERY LLP

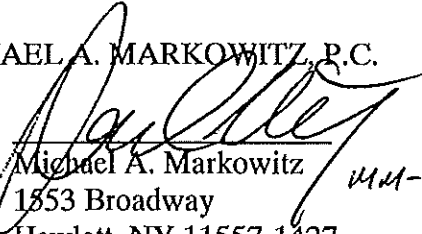
By:



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By:



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MM-5908

SO ORDERED:

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U.S.D.J.

November , 2009